

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:  FAIRFIELD SENTRY LIMITED, <i>et al.</i> ,  Debtors in Foreign Proceedings.	Chapter 15 Case  Case No. 10-13164 (CGM)  Jointly Administered
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), <i>et al.</i> ,  Plaintiffs,  v.  THEODOOR GGC AMSTERDAM, <i>et al.</i> ,  Defendants.	Adv. Pro. No. 10-03496 (CGM)  Administratively Consolidated
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), <i>et al.</i> ,  Plaintiffs,  v.  ZURICH CAPITAL MARKETS COMPANY, <i>et al.</i> ,  Defendants.	Adv. Pro. No. 10-03634 (CGM)

**NOTICE OF MOTION TO DISMISS BY EFG BANK AG FOR  
LACK OF PERSONAL JURISDICTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of EFG’s Motion of Dismiss, Defendant EFG Bank AG (f/k/a and sued as “EFG Private Bank SA”) (“EFG”) will move this Court for an order pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure, dismissing with prejudice the Fourth Amended Complaint (Dkt. No. 313) filed by the Liquidators of Fairfield Sentry Limited, Fairfield Sigma Limited, and Fairfield Lambda Limited against EFG

in the above-captioned adversary proceeding (attached hereto as **Exhibit A**) for lack of personal jurisdiction.

PLEASE TAKE FURTHER NOTICE that EFG does not, by this motion, waive any of its jurisdictional, substantive, or procedural rights, remedies, and defenses in connection with the above-captioned adversary proceeding, and reserves the right to move to dismiss the Fourth Amended Complaint on all other grounds.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, EFG does not consent to the entry of final orders or judgment by this Court.

Dated: October 29, 2021  
New York, New York

Respectfully Submitted,

/s/ D. Farrington Yates

D. Farrington Yates

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